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GLOUCESTER CITY COUNCIL  
9 Dale Avenue, Gloucester, MA 01930  
Office (978) 281-9720 Fax (978) 282-3051

CITY COUNCIL STANDING COMMITTEE  
**Ordinances & Administration**  
Monday, October 3, 2011 – 7:00 p.m.  
1<sup>st</sup> Fl. Council Conference Rm. – City Hall  
**AGENDA**

*(Items May be taken out of order at the discretion of the Committee)*

**1. Continued Business:**

- A) Vehicle Traffic Speed Rates on Woodward Avenue (ref'd from 7/26/11 City Council Mtg. (Cont'd from 8/1/11) **and** CC2011-041 (Verga) Speed Limit for Woodward Avenue area (Cont'd from 09/19/11)
- B) CC2011-033 (Mulcahey) Speed Study re: Taylor Street & Friend Street (Cont'd from 09/19/11)
- C) CC2011-039 (Mulcahey) Amend GCO §22-270 (Parking Prohibited at All Times) re: Green & Perkins Sts. (Cont'd from 09/19/11)
- D) CC2011-040 (Mulcahey) Amend GCO §22-291 (Tow Away Zones) Green & Perkins Sts. (Cont'd from 09/19/11)
- E) CC2011-042 (Verga) Revisit of 4-way stop signs at intersection of Magnolia Avenue, Shore Road and Raymond Street (Cont'd from 09/19/11)
- F) Discussion only on Noise Factor at Stage Fort Park (Cont'd from 08/01/11)

**2. CC2011-044 (Verga) Amend GZO §1.5.3, §1.11 and §1.11.2(e), "Appendix A, Rule 25: Rules of Procedure: Special Permit Procedures" – Part I and Part II**

**3. CC2011-049 (Mulcahey) Set speed limit re: Taylor Street**

**4. CC2011-050 (Mulcahey) Set speed limit re: Friend Street**

**5. For Information Only: Memorandum to All City Common Victuallers with City Liquor Licenses from City Council Ordinances & Administration Committee**

COMMITTEE  
Councillor Sefatia Theken, Chair  
Councillor Ann Mulcahey, Vice Chair  
Councillor Bruce Tobey

**Committee members – Please bring relevant documentation**

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Carolyn Kirk  
Jim Duggan  
Linda T. Lowe  
Robert Ryan/Larry Ingersoll  
Mike Hale/Mark Cole

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



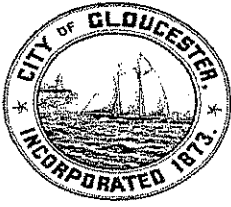
**CITY OF GLOUCESTER 2011  
CITY COUNCIL ORDER**

**ORDER:** #CC2011-041  
**Councillor** Greg Verga

**DATE RECEIVED BY COUNCIL:** 09/13/11  
**REFERRED TO:** O&A, TC & Police Dept  
**FOR COUNCIL VOTE:**

**ORDERED** that the Ordinances and Administration direct the Traffic Commission and Police Department to conduct a traffic analysis and report their recommendations on speed limit in the Woodward Avenue area to the Ordinances and Administration Committee.

Greg Verga  
Ward 5 Councillor



**CITY OF GLOUCESTER 2011  
CITY COUNCIL ORDER**

<b>ORDER:</b> Councillor	<b>#CC2011-039</b> Ann Mulcahey
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<b>DATE RECEIVED BY COUNCIL:</b> 09/13/11 <b>REFERRED TO:</b> TC & O&A <b>FOR COUNCIL VOTE:</b>
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**ORDERED** that the GCO Sec 22-270 "Parking prohibited at all times" be amended by

**DELETING:** Green Street, northeasterly side, beginning at a point 163 feet from its intersection with Perkins Street, in a northwesterly direction thence in a northeasterly direction for a distance of 50 feet; and

**ADDING:** Green Street, northeasterly side, beginning at the point 113 feet from its intersection with Perkins Street, for a distance of 100 feet; and further

**ORDERED** that this matter be referred to the Traffic Commission and the Ordinances and Administration Committee for review, recommendation and measurements.

Councillor Ann Mulcahey  
Ward 2



**CITY OF GLOUCESTER 2011  
CITY COUNCIL ORDER**

<b>ORDER:</b>	<b>#CC2011-033</b>
<b>Councillor</b>	<b>Ann Mulcahey</b>

<b>DATE RECEIVED BY COUNCIL: 08/09/11</b>
<b>REFERRED TO: O&amp;A, TC &amp; Police Dept</b>

ORDERED that the Traffic Commission and the Police Department conduct a Radar Recorder study on Taylor Street and Friend Street regarding speeding issues and report their recommendations to the Ordinances and Administration.

Councillor Ann Mulcahey  
Ward 2



## **CITY OF GLOUCESTER 2011 CITY COUNCIL ORDER**

<b>ORDER:</b> Councillor	<b>#CC2011-040</b> Ann Mulcahey
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<b>DATE RECEIVED BY COUNCIL:</b> 09/13/11 <b>REFERRED TO:</b> TC & O&A <b>FOR COUNCIL VOTE:</b>
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**ORDERED** that the GCO Sec 22-291 "Tow-away zones" be amended by

**DELETING:** Green Street, northeasterly side, beginning at a point 163 feet from its intersection with Perkins Street, in a northwesterly direction thence in a northeasterly direction for a distance of 50 feet; and

**ADDING:** Green Street, in a northwesterly direction, beginning 113 feet from its intersection with Perkins Street, for a distance of 100 feet ; and further

**ORDERED** that this matter be referred to the Traffic Commission and the Ordinances and Administration Committee for review, recommendation and measurements.

Councillor Ann Mulcahey  
Ward 2



## CITY OF GLOUCESTER 2011 CITY COUNCIL ORDER

ORDER:	#CC2011-042
Councillor	Greg Verga


DATE RECEIVED BY COUNCIL:	09/13/11
REFERRED TO:	O&A & TC
FOR COUNCIL VOTE:	

**ORDERED** that the Ordinances and Administration direct the Traffic Commission to revisit the recently installed 4-way stop signs at the intersection of Magnolia Avenue, Shore Road and Raymond Street to determine if additional signage, painted stop signs and/or "STOP" painted on roadway are required; and, if necessary, reversion back to amend GCO Sec. 22-269 "Stop Intersections" and/or Sec. 22.269.1 "Yield Intersections", to reflect the results of the Traffic Commission's recommendations to the Ordinances and Administration Committee.

Greg Verga  
Ward 5 Councillor

who had inquired that there is nothing in the ordinance or in the City Charter that states there is a specific type of professional background or training that limits who can fill a position on the Board.

**MOTION: On motion by Councilor Mulcahey, seconded by Councilor Curcuru, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Joseph M. Orlando, Esq. to the Planning Board, TTE 02/14/16.**



### **3. Discussion only on Noise Factor at Stage Fort Park**

**Councilor Theken** explained that at a meeting of the P&D Committee in June, Dr. & Mrs. John Wolfe had asked for a re-examination of the noise ordinance as they have had their enjoyment of their home and property marred in the last five years or so by loud events/parties held at Stage Fort Park, a City-owned public park. Dr. John Wolfe and wife, Susanna brought to the Committee's attention the high level of noise emanating of Stage Fort Park. **Councilor Theken** noted some nights when the wind is in the right direction she can hear the sound at her home on Magnolia Avenue. **Susanna Wolfe** stated there has an increase of amplified music over the last five years. She and her husband, Dr. John Wolfe live at 3 Old Salem Road a fair distance from Stage Fort Park. The Committee heard from Dr. and Mrs. Wolfe about their experiences with loud events impeding their enjoyment of their home and immediate environs. Dr. Wolfe has measured the sound with his own decibel measurer. **Councilor Tobey** stated the ordinance tends to be enforced after the fact with a decibel meter. He noted Sec. 7-16(b) of the charter shows where the DPW Director proposes rules and regulations for the City parks. He asked if they could amend their rules for the use of the park. **Mark Cole**, DPW Operations Director stated they could come up with certain guidelines but enforcement would be the crux of the issue. **Councilor Tobey** stated when folks come for a permit, they can give them parameters that if they are standing, say, on Hough Avenue at Western Avenue, if it is heard at that point they will be shut down and not welcome back. A copy of the permit should go to the desk sergeant at the Police Department so they are aware. **Ms. Lowe** stated the noise ordinance exempts approved special events from daytime noise and that would need to be modified. She also noted P&D is discussing the multiplying special events, and no one is sure who is in charge of them, expressing there needs to be much better coordination. She pointed to the City of Cambridge which has an events committee that is made up of several different officials and suggested this may be a way for the City to move forward to help alleviate confusion. **Councilor Curcuru**, whose ward Stage Fort Park is part of, stated people come here because we have a beautiful City; and if the sound is carrying because the wind is blowing the wrong way, he didn't want it to stifle the use of the park. He pointed out Dr. and Mrs. Wolfe were the only two people to complain in his experience as a City Councilor. These events come to Gloucester for a reason; but he understood this could be disturbing during the evenings. **Mr. Cole** only received a complaint a couple of years ago and that was the Waterfront Festival where vendors with compressors running at night. **Councilor Theken** noted the Relay for Life stated they did have a quiet time and shut down the music after a certain time. She agreed with Councilor Curcuru – where do you put the limit. You'd have to stifle the Fiesta; the Relay for Life to name two. When you have private parties at the Park and put up their boom boxes while having a picnic she realized can be very disturbing. There is an ordinance; there are park rules. **Councilor Tobey** citing park rules for New York City's Central Park noted if there is a party of more than 20 people, they need a permit from the parks department; and have to go to the local precinct to get an amplified sound permit from the police who are now on notice. **Councilor Theken** didn't wish to stifle or stop local groups and their events. The DPW issues the permits. They can set up something – to set up rules on amplification in the parks. Walking the park she found that almost all the folks who live in the area have learned to live with it. **Councilor Tobey** asked if there is a plan. **Mr. Hale** pointed out the enforcement officer for the noise ordinance is the Building Inspector who doesn't work on the weekends; the police don't have a decibel meter; and felt the ordinance is cloudy. **Councilor Curcuru** suggested they should go to some of these events and check the levels with a decibel meter so they can compare them from consistent spots. They need to know what 75 decibels is, etc. **Councilor Mulcahey** noted in the Fort their decibel level is around 70 (MI-2). A company bought newer equipment that went to 73 decibels; they were able to do something about it then. She never hears music from Stage Fort Park; but just the other night she did; the wind blowing in their direction. She does see boom boxes on boom boxes set up in the park. **Dr. Wolfe** asked how do people know when they need a permit and what is required. **Mr. Cole** stated it is advertised on the website, but is not posted at the park that any group over 20 people must have a permit. **Councilor Tobey** suggested the Committee ask the City Clerk to prepare a road map to guide them to a solution or a range of solutions. **Mr. Hale** offered to work with Ms. Lowe on the roadmap. **Councilor Theken** stated they should be able to have a quiet zone unless permitted. It is still enforcement that is an issue. **Councilor Curcuru** agreed with Councilor Theken for a need for a quiet zone unless permitted.



## **CITY OF GLOUCESTER 2011 CITY COUNCIL ORDER**

<b>ORDER:</b>	<b>#CC2011-044</b>
<b>Councillor</b>	<b>Greg Verga</b>

<b>DATE RECEIVED BY COUNCIL:</b> 09/27/11
<b>REFERRED TO:</b> PB, O&A and P&D
<b>FOR COUNCIL VOTE:</b>

**ORDERED** that the Gloucester Zoning Ordinance Sec. 1.5.3 be amended pursuant to MGL c40A §5 and Gloucester Zoning Ordinance Sec. 1.11 and 1.11.2(e) by

**DELETING:** in Sec. 1.5.3(a) references to “11 copies thereof”; and Sec.1.5.3(b) “five (5) full size sets and eleven (11) 11”x17” sets” and Sec. 1.5.3(c) “five(5) full size sets and eleven (11) 11”x17” sets of”; and

**ADDING:**

“one original and one copy thereof provided that the applicant also provides the application and all required submissions in digital form. Digital submission is strongly preferred, otherwise eleven (11) copies 11”x17” (11x17 inches) and five (5) copies 2’x3’ (2x3 feet) must be provided”; and by

**AMENDING** Gloucester Zoning Ordinance “Appendix A -Rule 25: Rules of Procedure Special Permit Procedures” – Part I and Part II to be consistent with Sec. 1.5.3 as amended; and further

**ORDERED** that this matter be referred to the Planning Board, the Ordinances and Administration Committee and the Planning and Development Committee for review and recommendation.

Greg Verga  
Ward 5 Councillor





## **CITY OF GLOUCESTER 2011 CITY COUNCIL ORDER**

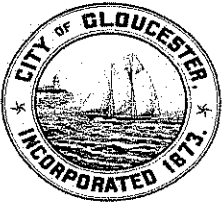
<b>ORDER:</b> Councillor	<b>#CC2011-049</b> Ann Mulcahey
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<b>DATE RECEIVED BY COUNCIL:</b> 09/27/11 <b>REFERRED TO:</b> <b>FOR COUNCIL VOTE:</b>	<b>TC &amp;O&amp;A</b>
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ORDERED that, after reviewing the speed study (Councillor Mulcahey's Order 2011-033), a speed limit for the entire length of Taylor Street be set at 20 mph; and further

ORDERED that the Traffic Commission review the speed study and report their recommendations to the City Council through the Ordinances and Administration Standing Committee and direct the City Clerk to submit the proper documentation to the Department of Transportation for approval.

Ann Mulcahey  
Ward 2 Councillor



## **CITY OF GLOUCESTER 2011 CITY COUNCIL ORDER**

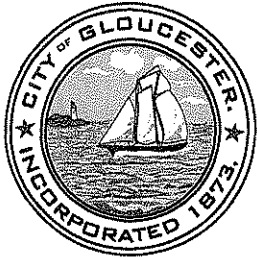
<b>ORDER:</b> Councillor	<b>#CC2011-050</b> Ann Mulcahey
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<b>DATE RECEIVED BY COUNCIL:</b> 09/27/11 <b>REFERRED TO:</b> <b>FOR COUNCIL VOTE:</b>	<b>TC &amp;O&amp;A</b>
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ORDERED that, after reviewing the speed study (Councillor Mulcahey's Order 2011-033), a speed limit for the entire length of Friend Street be set at 20 mph; and further

ORDERED that the Traffic Commission review the speed study and report their recommendations to the City Council through the Ordinances and Administration Standing Committee and direct the City Clerk to submit the proper documentation to the Department of Transportation for approval.

Ann Mulcahey  
Ward 2 Councillor



**OFFICE OF THE CITY CLERK**  
9 Dale Avenue • Gloucester, Massachusetts 01930  
Office (978) 281-9720 Fax (978) 282-3051

September 29, 2011

To: All City Common Victuallers with City Liquor Licenses

From: Gloucester City Council Ordinances and Administration Committee

Re: Public Hearing on Whether City Council Will Locally Adopt MGLc.138 sec.12  
Concerning Sale of Liqueurs and Cordials by Common Victuallers with Certain  
Liquor Licenses

The City Council Ordinance and Administration Committee invites you as a local license holder to attend a City Council Public Hearing scheduled for October 11, 2011 ,7:00 pm in the City Hall Auditorium on whether the Council shall locally adopt the state law(See text below) which permits common victualler license holders who have a seasonal or annual wine and malt licenses to also sell liqueurs and cordials. The public hearing will give all common victuallers, as well as members of the general public, who support or who oppose adoption of this state law, an opportunity to be heard by the City Council. You may also submit written comments if you are unable to attend.

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MGLc.138 sec.12 "In any city or town which votes to accept the provisions of this paragraph, a common victualler ,who holds a license under this section to sell wines and malt beverages may, upon written approval, also sell liqueurs and cordials pursuant to said license ,subject, however, to all other licensing provisions of this chapter"

Copy to: Michele Harrison,Chrp.Licensing Bd.  
Councillor Sefatia Theken,Chrp. O&A Com.  
Councillor Jackie Hardy,Council Pres.

Ms Cora Brown  
122 Prospect St  
Gloucester, MA 01930-3713

**P01324884**

**Expires:**

**06-14-16**

**Disabled Persons  
Parking Identification Placard**



MONTEZ-BROWN

CORA

**Commonwealth of  
Massachusetts**



for OEA  
9/19

978-282-0647